

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
YVETTE GRIFFIN, individually and on behalf of all
others similarly situated,

NOTICE OF MOTION

Plaintiff,

-against-

Case No.:

THE BALTIMORE LIFE INSURANCE COMPANY,

Defendant.

----- X

THE BALTIMORE LIFE INSURANCE COMPANY

Third-Party Plaintiff,

-against-

Q3M INSURANCE SOLUTIONS, LLC, ROBERT
HUDSON, and ARTREANUA CARR

Third-Party Defendants.

----- X

PLEASE TAKE NOTICE, that, upon the Declaration of Sydney A. Fetten, Esq., dated July 1, 2021, and the exhibits annexed thereto, the Declaration of Megan T. Mantzavinos, the Memorandum of Law in Support, and all prior pleadings and proceedings had herein, Third-Party Defendants Q3M Insurance Solutions, LLC, Robert Hudson, and Artreanua Carr (collectively “Q3M”), through undersigned counsel, and pursuant to Fed. R. Civ. P. 37 and Fed. R. Civ. P. 45, will move this Honorable Court (1) to enter an Order Compelling non-party Fluent, Inc. to comply with Third-Party Defendants’ Subpoena to Fluent, Inc., dated April 28, 2021, and, (2) in the event Fluent fails to fully respond to Third-Party Defendants’ Subpoena within fourteen (14) days of the issuance of this Court’s Order compelling it to do so, an Order holding Fluent in contempt pursuant to Fed. R. Civ. P. 45(g), and for such other and further relief as may be just, proper, and equitable.

Third-Party Defendants' moving papers will be filed and served simultaneously to the instant Notice.

Respectfully Submitted,

/s/ Sydney A. Fetten

Sydney A. Fetten, Esq. (SF-0991)
sfetten@moodklaw.com

**MARKS, O'NEILL, O'BRIEN,
DOHERTY & KELLY, P.C.**

*Attorneys for Third-Party Defendant Q3M
Insurance Solutions, LLC, Robert Hudson
and Autreanua Carr*
10 Grand Central
155 East 44th Street, Suite 2500
New York, New York 10017
(212) 967-0080
File No. 251.109054

TO:

TO:

Martin Wolf
Gordon, Wolf, & Carney, Chtd.
102 W. Pennsylvania Avenue, Suite 402
Towson, Maryland 21204
mwolf@GWCfirm.com

Patrick H. Peluso
(ppeluso@woodrowpeluso.com)
Woodrow & Peluso, LLC
3900 East Mexico Ave., Suite 300
Denver, Colorado 80210
Counsel for Plaintiff and the Putative Class

Thomas J. Cunningham (pro hac vice)
tcunningham@lockelord.com
Steven J. Brotman (pro hac vice)
Steven.brotman@lockelord.com
LOCKE LORD LLP
777 South Flagler Drive

Suite 215 – East Tower
West Palm Beach, Florida 33401

Cynthia Maskol
Wilson Elser Moskowitz Edelman & Dicker LLP
500 East Pratt Street, Suite 600
Baltimore, MD 21202 -3173
cynthia.maskol@wilsonelser.com
Counsel for Third-Party Plaintiff

Fluent, Inc.
300 Vesey Street, 9th Floor
New York, NY 10282

MEMORANDUM ENDORSEMENT

No opposition having been filed to this motion, the motion to compel Fluent, Inc. to comply with Third-Party Defendants' April 28, 2021 subpoena (Docket # 2) is granted. If not already produced, the documents responsive to the subpoena shall be produced on or before September 3, 2021. The Clerk is directed to close this case. Notwithstanding the closing of the case, the Court remains available to enforce this order through appropriate means if necessary.

SO ORDERED.



GABRIEL W. GORENSTEIN
United States Magistrate Judge

August 27, 2021